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Notes on Crime and Delinquency

BY

ERNEST BRYANT HOAG

Medical Psychologist Los Angeles Juvenile Court

CRIMINOLOGY 113A

SUMMER SESSION, 1917

Ernest B. Hoag

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SECTION I

PHYSICAL AND MENTAL STUDY OF CRIMINALS AND DELINQUENTS

Development of the Science of Criminology.—Criminology as a system first developed in the eighteenth century. Beccaria summed up the best writings on this subject in 1774 in a book called "Crimes and Punishments." This became the standard for reform in criminal procedure. Its influence is still felt. From it the *Classical School* took origin.

The Classical School was founded on the writings of eighteenth-century *Philosophers*. This school dominated codes and procedures of the nineteenth century and still influences those of today. The Classical School held that a certain crime must always be punished in the same manner, because all persons are equal; therefore all committing the same crime are equally responsible. Attention was fixed not on the *criminal*, but on the *crime*. The theory of punishment was based on deterrence through *intimidation*. All the principles of the Classical School were based upon the theory of *Free Will* and the personal moral responsibility of the *criminal*. All were therefore equally responsible and no *individual study of the criminal was necessary*.

The *Neo-classical School* developed from the Classical. This school held that some exceptions must be made according to the degree of personal responsibility. It possessed little means, however, of determining this degree of responsibility, and made few exceptions.

The *Correctionalist School* introduced the idea of correction through *moral reform* of the individual instead of correction through *fear* alone. The fundamental principles of the Classical School were little changed by the newer schools. These principles still remain essentially the same as when formulated by Beccaria in 1774.

Influence of the Classical School.—The Classical, Neo-Classical and Correctionalist schools paved the way for a new science of criminology. These older schools founded an orderly system based upon definite *codes* and *procedures* which had before hardly existed.

Philosophy versus Science.—The attempt was made by the older schools to fit the penalty to social requirement. The theory of punishment and reform was not based on biological science: a philosophy rather than a science.

Modern School of Criminology

1872

Positive School.—This school was founded on the discoveries of the biological sciences. Its principles were based primarily upon the characters possessed by the individual criminal. Punishments must fit the *criminal*, rather than the *crime*.

The modern science of criminology is based upon sciences such as biochemistry, psychiatry, medicine, psychology, anthropology, sociology, eugenics. These sciences have been of gradual development since the modern school was founded. The modern school is known as the *Positive School of Criminology*. It rests upon the discovery and the accumulation of *facts*. Modern criminology is a true *science* in distinction to a *philosophy*. Philosophy *assumes* facts. Science *discovers* facts. The Positive School shows that man is under exactly the same laws as the rest of the universe. There is no special dispensation of natural laws in favor of man.

The Classical, Neo-Classical, and Correctionalist schools did not establish a true science of criminology, but they did organize an orderly method of procedure and stimulate interest which led to the formation of the *Scientific* or *Positive School*.

Influence of the Classical School Today.—Modern criminology has developed with the development of the biological sciences, but criminal codes and procedures are still largely influenced by the absurd unscientific theories of the Classical School.

Our courts today attempt to dispense justice largely by the employment of obsolete methods laid down by the *Philosophers*, who deduced principles from theoretical assumptions.

Summary

The Classical School Founded (1774, Beccaria).—Principles based on theory of personal responsibility; punishment must fit the crime; deductive in method; a philosophy, not a science; principal writers of classical school: Beccaria, Bentham, Romagnosi, Elbero.

Neo-Classical School.—A development of the classical. Slightly modified the idea of absolute personal responsibility.

Correctionalist School.—Still part of the classical school, but introduced idea of moral reform of criminal instead of deterrence through fear alone.

Modern or Positive School (founded 1872–1878, Lombroso).—Based upon biological sciences. *Inductive* instead of *deductive*; a true science; based on facts instead of assumptions. Penalty must fit the *criminal*, rather than the *crime*. Rapidly accumulating scientific facts in regard to

causes of crime; still in its infancy. Principal early writers: Lombroso, Ferri, Garofalo.

Criminal Procedure Today.—Courts still largely influenced by codes founded on the obsolete theories of Classical School. Views have changed much, but codes have changed little. The dead hand of the past grasps the criminal of the present.

Influence of Scientific or Positive School of Criminology still relatively slight on practical administration of justice today. Lawyers and doctors in the main little informed in modern science of criminology.

The Psychological School of Criminology

(Now in process of formation)

Modern criminology is based more on psychological studies than upon anything else. This school has been of recent development. No one individual can be called the originator of this school. Many have contributed. The most prominent contributors in Europe include, directly and indirectly, Gross, Meuman, Stern, Wundt, Binet, Simon. In America the most prominent names associated with this school directly or indirectly include Goddard, Terman, Kuhlman, Huey, Yerkes, Bridges, Healy, Glueck. Dr. Healy has done more to create a new school of psychological criminology than all others combined. His "Individual Delinquent" is an epoch-making work. This is the first case history record of delinquents ever made on a broad scale. His *Pathological Lying, Honesty, and Complexes* cover another field of the new science.

Terman has done more to perfect a single measuring scale of intelligence than anyone else.

Yerkes and Bridges have perfected the best "point-scale."

Glueck stands foremost in study of insane criminals.

SECTION II

SOME DETAILS OF THE POSITIVE OR MODERN SCHOOL OF
CRIMINOLOGY

This developed from the Classical School. Founders of the Modern School (1872-1878), Lombroso, Garofalo, Ferri. Lombroso published the first book of the Modern School in 1872, "Criminal Man." It did not attract much attention until 1878, when Garofalo and Ferri published monographs.

The Positive or Modern School is also known as the *Italian School*. This school maintains that crime does not necessarily involve a *moral guilt*. "It is not the criminal who wills: in order to be a criminal it is rather necessary that the individual should find himself permanently or transitorily in such personal, physical, and moral conditions, and live in such an environment... that disposes him toward crime." *Free will* absolutely denied by Ferri. Classical School upheld free will, therefore the criminal was morally responsible and the penalty must be given according to the degree or seriousness of the crime committed. This is still today the ordinary conception of crime; consequently, comparatively little progress has been made in the true science of criminology.

Present Progress.—The *Positive School* is now beginning to make some progress. A few courts have *Psychopathic Clinics*, notably, Boston, New York, and Chicago. Modern criminology studies tangible causes of crime. The Classical School was interested in how to *punish*; the Positive School in how to *prevent*: exactly the same differences as those between treatment of disease and its prevention. Positive or Modern School does for the criminal what *Pivel* in France did for the insane. *Pivel* advanced the revolutionary idea that insanity was *not a sin but a disease*. This is now everywhere accepted. Insane were formerly punished. General opinion still exists that crime is a sin, because due to *free will* of individual. Positive School denies this and places true crime in the same class with insanity or other mental defects. This does not mean that every criminal is insane, but crime is largely a symptom of disease. It took a quarter of a century for the Positive School to exert influence on criminal codes and procedures and today this influence is relatively slight. To some extent, however, codes now represent a compromise between the theories of the Classical and Positive Schools.

The greatest progress has been made in our Juvenile Courts.

Modern Criminology Classified

Three great branches of Modern Criminology:

- (a) Criminal sociology (Ferri).
- (b) Criminal anthropology (Lombroso).
- (c) Criminal psychology (Gross).

Ferri makes three great groups of crime as follows:

- 1. Anthropological.
- 2. Telluric.
- 3. Social.

Ferri's five types of criminals:

- 1. Born criminal.
- 2. Insane criminal.
- 3. Habitual criminal.
- 4. Occasional criminal.
- 5. Passionate criminal.

Ferri holds that "crime is a social phenomenon due to the interaction of anthropological, telluric, and social factors."

Every society, he says, has the criminality it deserves. "By changing the condition of the social environment, which is most easily modified, the legislator may alter the influence of the telluric environment and the organic and psychic conditions of the population, control the greater portion of crimes, and reduce them considerably."... "In the society of the future the necessity for penal justice will be reduced to the extent that social justice grows intensively and extensively." (Ferri.)

Lombroso's Theories (Anthropological)

His Early Theories.—There is a definite *criminal type*. Many kinds of stigmata of degeneracy found present. Explained the criminal type at first on the theory of *atavism*.

Some of Lombroso's Anatomical Findings.—Many anomalies of skull, such as reduced capacity; prominent occipital protuberance; thickening of skull bones; prominent superciliary arches; retreating frontal bone; prognathus jaw; asymmetry of skull and face. He discovered many other anomalies of the body; anomalies of the viscera; anomalies in anthropometric measurements; frequent left-handedness; mobile great toe; precocious wrinkles; absence of baldness; sparse beard; outstanding ears; square chin; oblique eyes; frequent microcephalies.

Lombroso also noted unusual conditions in the pulse rate, temperature, taste, sensibility, smell, hearing, etc. Concludes that nearly all sensibilities are reduced in the criminal.

Other characteristics:

Vengefulness
 Professional slang
 Tattooing
 Cowardice
 Lack of foresight
 Idleness
 Moral obtuseness
 Instability
 Vanity
 Cruelty
 Love for gambling
 Love for alcohol
 Reduced feeling for pain
 Untruthfulness
 Hieroglyphics

Distinction between born criminal and criminal of passion. Few or no anomalies among the latter, according to Lombroso. All criminals are *epileptics* but not all epileptics are criminals. Close relation between the physical characteristics of the criminal and the insane. Criminal both a savage and a sick man. High per cent of insane among criminals.

Certain kinds of insanity related to certain kinds of crime:

Pyromania—incendiarism.
 Dipsomania—drunkenness.
 Kleptomania—theft without evident reason.
 Vagabondage related to neurasthenia.

Lombroso recognized several great types of criminals, viz:

1. Born criminal.
2. Criminals of passion.
3. Insane criminals
4. Alcoholic criminal.
5. Hysterical criminal.
6. Occasional criminal.
 - (a) Criminaloids (only a touch of degeneracy).
 - (b) Pseudo-criminals (crimes are juridical rather than real).
 - (c) Habitual criminal (due to circumstance only).
7. Epileptoids (sub-stratum of epilepsy present).

Later Theories.—Lombroso at first recognized but one great type of criminal, viz: the *atavistic*, a type caused by reversion to a primitive type of man. This view was afterwards much modified by Lombroso. In his later publications he recognizes not only atavism resulting in anatomical peculiarities, but also acquired and entirely pathological characteristics.

Summary of Lombroso's Findings.—Anthropology, medical science, psychology, psychiatry, enter into understanding of the criminal. Most criminals of the more serious type are abnormal. Insanity, acquired pathological conditions, epilepsy, accidental association, moral imbecility, all enter into the production of crime. Lombroso modified his early idea of a *definite criminal type* somewhat. He fixes attention largely upon the criminal himself. He makes much of the stigmata of degeneracy in criminals.

Garofalo (a Jurist).—Garofalo begins with a study of crime, rather than of the criminal. "I think that the point of departure should be the sociological conception of crime." Crime is a natural phenomenon. Acts regarded as criminal vary in different ages. Crime to some extent a matter of *convention, history, geography*.

True crime "is always a harmful act which wounds some of those feelings which it has been agreed upon to call the moral sense of a human aggregation."

Crime, according to Garofalo, is not a matter of *deeds*, but a matter of feelings. The criminal lacks the feelings of *altruism*. He does not recognize a distinct anthropological criminal type. But he does believe in an inherent tendency toward crime in every true criminal. "There always exists in the instincts of the true criminal a peculiar element congenital or hereditary, or acquired during early childhood, which has become inseparable from his psychic organism." The criminal is an anomaly among human beings. Morally well organized men can not commit a crime by the sole force of exterior circumstances. Garofalo admits importance of Lombroso's findings.

Ferri.—Point of departure is "Criminal Sociology." Admits the importance of criminal anthropology. Shows that while normal persons may have stigmata of degeneracy, criminals have a greater number of them. For the criminal sociologist, the data of anthropology are only points of departure from which to arrive at conclusions juridico-social. Causes of crime are *anthropologic, telluric, and social*. Every crime, from the smallest to the most atrocious, is the result of the interaction of these three causes. There are thousands of organic and psychological conditions in the personality of criminals which must be understood. A man commits a crime because he finds himself in a certain physical and social condition. He is not adapted to the conditions of the social environment in which he is born. The abnormal man, who is below the minimum of adaptability to social life and bears the marks of organic degeneration, develops either a passive or an aggressive form of abnormality and becomes a criminal.

Ferri believes in the "born criminal." He is a victim of *criminal neurosis*. He may or may not commit criminal acts, according to his circumstances of life.

Ferri's five types:

1. Born criminal.
2. Insane criminal.
3. Habitual criminal.
4. Occasional criminal.
5. Passionate criminal.

No more reason to punish a criminal than to punish the insane or the sick. Society needs protection from all of these. The criminal needs the social clinic. Some may be restored to social health. Prevention, more than cure of crime, is needed.

Social reorganization required. Free competition under unequal conditions, a form of *Social Cannibalism*. To sentence a criminal is as absurd as to sentence a sick man. The *indeterminate* sentence the only rational one. Prisoner should be restored to society when he is capable of taking his place.

Ferri opposed to Classical School idea of punishment in measure of crime committed, and to the theory of freedom of the will.

References for reading:

- The Positive School of Criminology, Ferri.
- Criminal Man, Lombroso.
- Criminal Anthropology, Parmelee.

SECTION III

MODERN BIOLOGICAL THEORIES OF CRIME

External signs now considered less important than *mental states*. Less attention paid to "stigmata of degeneracy" and more attention given to insanity, neuroses, feeble-mindedness, epilepsy, psychopathic character. Heredity studied in relation to crime. Mendel's Law applied. In the main criminals have a tainted heredity, but crime *per se* is not now regarded as inherited. All feeble-minded are potential criminals. At least two-thirds of all feeble-mindedness inherited. Environment always important but not so important as heredity. Both factors often active in a given instance. A criminal type not now recognized. *Any one of defective psychic make-up may become criminal if circumstances are favorable.*

Disease and Crime.—Many criminals victims of disease. Common causes of criminality include syphilis, alcohol, epilepsy, feeble-mindedness, insanity. Syphilis may produce insanity. Alcohol may cause insanity. Both probably act on the germ-plasm. The relation between alcohol and feeble-mindedness is not yet fully determined. It is probable that alcoholics are largely *psychopathic in constitution* to begin with. Feeble-mindedness may lead to alcoholism. Alcohol may produce feeble-mindedness in offspring. Feeble-mindedness as a factor in crime not understood until within the last decade. Biochemistry an important study in modern criminology.

Age of Criminals.—Most criminals begin their careers early. Criminal life in general begins between fifteen and twenty years of age (Goring). About 2 per cent of the population is *arrested* for crime (Olson). Ratio of crime to population remains practically stationary everywhere. Average age of criminals is about twenty-two years. Little hope for the old criminal. Youth the most hopeful period for reform but habits tend to become fixed very early.

Recidivists: Repeaters.—Recidivists require careful study in every instance. They furnish the most serious problems in criminology. Distinction between single offense and repeated offenses most important. There is marked *psychological* difference in character. Each case requires study of *all the factors present*.

Methods of Study.—Mental tests, physical examinations, and psychological analyses do more to properly classify criminals than all other

methods combined. In the past *incidentals* have been mistaken for *essentials*. Study of *facts* is what is most important.

1. Mental findings.
2. Physical conditions.
3. Environmental background.
4. Heredity.

Fallacy of Generalization.—We must not use preconceived forms of classification such as *born criminal*, *atavism*, *moral imbecile*, *alcoholism*, etc. Many forms of classification are *names only*: they explain nothing. External signs, *stigmata*, are merely suggestive in character. Neurological and psychological tests form the chief basis of classification today. We must avoid generalizations. We wish concrete facts in each case.

Examples.—The *alcoholic* may be feeble-minded first and alcoholic as a result of his feeble-mindedness; or he may be a *psychopath* or actually insane. Conversely, alcoholism may lead to insanity. Every factor must be studied. Some normal people show “*stigmata of degeneracy*.”

Factors of Most Importance in the Study of Criminals and Delinquents

1. Mental findings.
2. Physical findings.
3. Family history.
4. Personal history.
5. School history.
6. General environmental history.
7. General conduct.
8. Previous record.
9. Reaction to experience.
10. Social position.

Personality and Good Conduct.—We wish to know all that enters into the *personality* of the individual, or he can not be properly treated. *Conduct* is an *expression of mental life*. Mind is at the basis of conduct. Much of mental life is *subconscious*. This part is very important to understand in relation to criminal conduct. Immediate mental antecedents of the offender most important in regard to his conduct. Different reaction of members of same family to their environment because of different mental content. Environment acts on individuals according to their special mental make-up.

Differences in conduct depend largely upon differences in mental make-up. The same environment acts very differently on individuals of varying personality. A study of individual minds is known as *differential psy-*

chology. Effects of environment and of *personality* in respect to conduct are usually confused. We must know the offenders' mental content. Social and environmental backgrounds must take second place to the more immediate personal causative factors of criminal delinquency.

Stigmata of Degeneracy Not Conclusive.—The "born criminal" of the older school is really a *born defective* who may become criminal through *accident* of environment. Goring (*The English Convict, 1913*) denies the existence of a criminal anthropological type. Nearly all modern students of criminals and delinquents agree in this statement of Goring. It is probably true that the criminal class shows more signs of degeneracy than non-criminals, but stigmata in themselves prove little. The *social class* to which most criminals belong shows more signs of degeneracy than the average, but most of these persons are not criminals.

General Summary and Supplementary Notes

The Modern Positive School focused attention upon the criminal himself. Many criminals were found to be degenerate, physically, mentally, or both. Many show a large number of anomalies; some physical, some mental. In general the typical criminal often represents a lower type of individual than our present civilization. Early criminalists recognized some forms of insanity but did not recognize other forms which we now know contribute to conditions producing criminality. Later studies of the criminal show that many of the degenerate class have become so through disease, hereditary or acquired. Among such diseases must be included syphilis, epilepsy, feeble-mindedness. Alcoholism no doubt plays an important part. Feeble-mindedness as a factor in criminality *is a discovery of the last ten years* and more particularly of the last eight years.

Criminals in the main begin their careers early. During the early reform investigations in England, 1851 to 1861, it was stated that observations made it clear that 58 per cent of criminals were already dishonest before fifteen years of age; 14 per cent between fifteen and sixteen. All had shown anti-social tendencies before nineteen or twenty. In 1863 at Birmingham it was stated that of 1000 prisoners examined, 395 had been convicted in their "teens." Another statement is to the effect that "there is scarcely an habitual criminal in the County of Staffordshire who has not been imprisoned as a child." An investigator who studied the prison population of the province of Pommeon found that in 76 per cent the first imprisonment had occurred before twenty-one years and that of *recidivists* nearly all had received punishment before seventeen years. Many of these must have committed many crimes before final detection. Goring (*op. cit.*) shows that criminal life in general begins between fifteen and twenty years of age, as judged by the convictions of 2204 English

habitual offenders, and this again refers to the first punishment, *not the first offense*. Any serious study of crime needs to be applied to young offenders. Personal and family history, etc., are easier to obtain in youth than later. Also later experiences can be eliminated. Youth is also the most hopeful period for reform and treatment.

Need for the Study of Recidivists.—The distinction between the type of single offense and repetition comes out very early and clearly. There seems to be a marked *psychological difference*. The older classifications of crime and criminals were to a large extent theoretical. Later investigations make it clear that many factors enter into individual cases: that each case needs individual study; that the "born criminal" of the older school is in reality a *born defective* and a criminal through accident of environment. Goring denies the existence of a *criminal anthropological type*.

Individuals with degenerate signs need not necessarily become criminals if properly educated and safe-guarded.

Healy says: "We have become certain that the development of mental tests and psychological analysis is doing more toward the establishment of true theories and of practical classifications of criminals than all other methods of study combined. In the past there has been a great mistaking of incidentals for essentials." Healy in his investigations concluded to consider *only facts*. He discovered early that these facts needed one classification of *mental findings*, another of physical conditions, another of environmental background. The outcome is the discovery of combined types of conditions and individual peculiarities that often fit the criminal into *no system*. Any classification according to theories of epileptoidism, of atavism, or of other biological considerations, would end in the mere giving of a name. The method of today for studying delinquents disregards the external signs as pointing inevitably to the "criminal type" and regards such signs merely as suggestive indications and *confirmatory evidence*. Neurological and psychological tests form today the chief armamentarium of the student of individual delinquents and criminals. The follow up work with cases is always desirable. Generalizations about the criminal are of little value. What is required is definite concrete facts about the individual. For example, general theories do not help much in dealing with individual cases of *alcoholism*. The drunkard may be *feeble-minded*, or a *degenerate*, or a *neurotic*, or *insane*, and therefore the problem of alcoholism is in his case secondary to something else. Every possible fact must be studied, including *heredity, environment, family history, personal history, individual physical and mental characteristics*. Everything so far as possible which enters into "personality" must be known to properly understand and treat the criminal.

Conduct is an expression of mental life, whether that mental life be conscious or subconscious. *Mind* is at the basis of conduct. Healy says: "Our own case studies have gradually led us to the overwhelming conclusion that, for practical purposes, what we particularly want to know about the offender are the *immediate mental antecedents of his conduct*. Social conditions, family conditions, individual experiences, affect different individuals in very different ways, depending upon the *mental make-up of each individual*. This explains, in part at least, why under identical conditions different members of a family react to their environment very differently. Such a study of individual minds is called *differential psychology*."

It may be true that external degenerate signs are found oftener or in greater number among criminals than among the normal population, but this does not explain *abnormal conduct*.

"In abnormal individuals it is clearly improbable that peculiar palates, insensitive finger-tips, or queerly-shaped heads, will ever be found in any such close relationship to delinquency as are the *mental phenomena*."

What it is necessary to know is the offender's *mental content*, his mental traits, peculiarities, and make-up. Social and biological backgrounds, however important, must take at least second place to the more immediate causative factors of delinquency. Aschaffenburg says that as often as a new field of criminal anthropology investigation has been attacked, the same thing has been repeated. First, assertion is made that a certain form of deviation is characteristic of the criminal. Then it is proved that the same phenomena are found in non-criminals, and finally it is shown that these anomalies are *somewhat more frequent in criminals!*

SECTION IV**SPECIAL FACTORS IN THE STUDY OF CRIMINALS AND
DELINQUENTS**

1. Insanity.
2. Epilepsy.
3. Feeble-mindedness.
4. Neuroses.
5. Character anomalies.
6. Alcoholism.
7. Morphinism.
8. Cocainism.
9. Mental repressions.
10. Sex perversions.

Insanity in Relation to Crime

What is Insanity?—A form of social inadequacy which may be the result of many kinds of disease. The causes of insanity are many. Frequently the cause of an insanity is very indefinite. Different forms of insanity may have very different causes. Predisposition is often present, but there must usually be an exciting cause also.

Causes of Insanity in General

1. *Predisposing*.—Inherited predisposition in 60 to 70 per cent of all cases. Age: Varies greatly in different forms. Greatest liability exists between the ages of thirty and forty, but this is explained by the fact "that there are more people in the general community living of this age." Liability really increases progressively from twenty to eighty years.

2. *Epochs*.—Latent tendencies crop out when there are great physiological changes taking place, viz., puberty, adolescence, puer-perium, climacterium, senium, or in common words, from ages of twelve to fourteen, fifteen to twenty-one, at child-birth, at the "change of life" (forty-five to fifty), at old age, after sixty-five years. Also at marriage, at periods of sickness (e.g., after infectious diseases), etc.

3. *Sex*.—About equally divided, with some tendency toward increase among males.

4. *Civil Condition*.—Greater in the unmarried.

5. *Climate*.—No distinct effect.

6. *Civilization*.—More common among the highly civilized. Relatively frequent among primitive peoples.

Exciting Causes:

1. Toxic (poisons), from without or from within. Illustrations:

a. Kinds—from without:

alcohol
morphine
cocaine
lead
mercury

toxins of disease:

tuberculosis
typhoid
malaria
yellow fever
grippe
syphilis

b. Kinds—from within: auto-intoxication from

(a) digestive tract
(b) kidneys
(c) other organs of body, including ductless glands,
about which less is known.

2. Injuries to head

fracture
concussion
wounds of various kinds

3. Exhaustion

physical
mental
chronic diseases
loss of blood

4. Diseases which may not develop poisons

a. Disturbances of circulation
b. Disturbances of nutrition
c. Epilepsy
d. Hysteria
e. Anaemia

5. Emotional

stress

strain

shock

fright

worry

anxiety

Predisposition alone is not usually enough to produce insanity. There must be some sort of exciting cause. Predisposition is usually, but not always, present. Predisposition should be recognized early and the person safeguarded.

General Symptoms of Insanity (White):.

Illusions

Inexact or inaccurate perceptions. The thing is perceived, but the perception is misinterpreted: the information conveyed to the mind is false.

Hallucinations

A perception without sensory foundation. Things are seen which do not exist. Sounds are heard which are not present, etc.

Dream states

Mind occupied by dreamy ideas, usually with hallucinations.

Delusions

False beliefs which cannot be corrected through reason.

Fixed ideas

An idea of which one cannot rid himself. Reason does not offer any aid. The idea has a greatly exaggerated degree of importance. (Hyper-quantivalent.)

Obsessions

Ideas, emotions, impulses which occupy consciousness persistently, are often fully comprehended by patient but still persist, in spite of his desire to be rid of them. Forms of obsessions (neuroses) may or may not be associated with actual insanity.

Phobias or fears

(a) fear of dirt

(b) fear of metals

(c) fear of wide spaces

(d) fear of narrow spaces

(e) fear of fire

- (f) fear of sickness
- (g) fear of death
- (h) fear of animals
- (i) fear of common objects: every possible variety to this obsession.

Flight of ideas

Ideas are not well defined. Thought does not reach any logical end. Goal is not reached, or is reached with difficulty.

Retardation in thinking

Slow in elaboration of ideas. Cannot come to conclusions. Mental effort laborious.

Impulsions

Uncontrolled acts, or tendency toward them. Examples:

kleptomania—*theft*.

pyromania—*set fire*

dipsomania—*periodic alcoholism*

some sex perversions

Patient restless until act is carried out, then obtains relief.

Compulsions

Much like impulsions. Act seems to be *forced upon* the patient. The impulse seems to come from *within*.

Stereotypy

Repetition of words, attitude, movement, etc.

Negativism

Patient does not do what is reasonably expected of him, or does the opposite thing.

Suggestibility

Easily receives impressions or suggestions from others. Reason for act not required. Automatism often present.

Stupor

Psycho-motor inhibition. Voluntary motion is in abeyance to a large extent. Disturbance of consciousness to greater or less degree.

Exaltation

Happiness and feeling of well-being exaggerated. Not justified by circumstances present.

Depression

Opposite of exaltation. Morbid unhappiness not warranted by conditions present.

Emotional deterioration

Poverty of emotions. Loss of affection. Does not react normally.

Amnesia

Loss of memory—special or general.

Aprosexia

Inability to fix the attention.

Hyperprosexia

Attention completely absorbed.

Disorders of personality

1. Transformation of personality, distortion.
2. Depersonalization, unreality.
3. Multiple personality.

Mental complexes

Disassociated ideas. Ideas are repressed, become subconscious.

Can not be controlled and seek expression. Often result in various nervous disorders. The complex seeks an outlet, but the idea is more or less repressed. Complexes sometimes show themselves in the dreams, often in a symbolic form. Delinquencies often due to repressed ideas or complexes. (Freud, Junge, Healy.)

Relation between Insanity and Crime (Glueck).—Large numbers of criminals are insane. Various estimates. Insanity in criminals is frequently not obvious. Usually overlooked at first. Many "malingerers" really insane.

Examples of the Relation of Insanity to Crime.—

Ideas of persecution, as found in paresis and dementia praecox, resulting often in violence and murder.

Ideas of impulsion or compulsion, as observed in kleptomania, pyromania, etc.

Maniacal seizures with certain forms of epilepsy. Often lead to the most atrocious forms of crime.

Alcoholic mania, often seen in relation to various forms of violence.

Violence in the various forms of delusions as seen in paranoiacs.

Insane acts in connection with multiple personality. Stealing, murder, etc.

Sex offenses and stealing, in connection with senile dementia, paresis, etc.

Forgery, sex offenses and violence in connection with manic depressive insanity.

Suicide and homicide in connection with many forms of insanity.

Delinquent acts and various crimes, including theft, violence, vagrancy, prostitution, in connection with dementia praecox.

Insanity in relation to drug habits, such as morphine and cocaine, with consequent crimes, particularly stealing.

Sex perversions may be related to true insanity and criminal acts. Many murders committed by sex perverts. Violence with "Sadism."

Many bomb-throwers and assassins of public officials are insane. Some are feeble-minded.

Many *eccentric characters* are insane and develop criminal tendencies. Religious fanatics often in this class.

Every serious crime should suggest the possibility of insanity or feeble-mindedness.

Forms of Insanity.—All classifications unsatisfactory; most of them more or less artificial. To a large extent a matter of convenience.

Common Classification in Use:

1. Paresis.
2. Manic-depressive.
3. Dementia-praecox.
4. Paranoia.
5. Senile dementia.
6. Toxic.
7. Infection.
8. Arterio-Sclerotic.
9. Melancholic.
10. Symptomatic.
11. Insanity with organic diseases.
 - (a) epilepsy
 - (b) tumor of brain
 - (c) apoplexy
 - (d) injury

Insanities most often associated with crime:

1. Dementia praecox.
2. Paresis.
3. Epilepsy.
4. Manic-depressive.
5. Paranoia.
6. Senile dementia.
7. Alcoholic and Drug (Toxic).

Illustrations:

1. (Dementia praecox)
 - Crimes related to vagabondage.
 - Crimes related to prostitution.
 - Crimes related to sex offenses.
 - Crimes related to petit stealing.
2. (Paresis)
 - Crimes related to business.
 - Crimes related to drunkenness.
 - Crimes of violence in general.
3. (Epilepsy)
 - Maniacal crimes of violence.
 - Crimes of extreme violence (mutilation, etc.).
 - Sex crimes.
4. (Manic—depressive)
 - Forgery.
 - Other crimes related to business deals.
 - Violence.
5. (Paranoia)
 - Crimes related to business.
 - Crimes of sudden violence (murder).
6. (Senile dementia)
 - Indecent exposure.
 - Rape of children.
 - Stealing—especially without motive.
7. (Alcoholic)
 - Crimes of violence.
 - Sex offenses.
 - Vagabondage.
 - Theft.

Crimes committed by psychopathic characters not actually insane:

Sexual crimes by sex perverts.
 Theft by drug habitues.
 Violence by alcoholics.
 Theft by kleptomaniacs.
 Arson by pyromaniacs.
 Forgery, theft, etc., by hysterical individuals.
 Various minor crimes by epileptics not insane.

Reading References:

- Conduct and its Disorders, Mercier.
- Crime and Insanity, Mercier.
- Individual Delinquent, Healy.
- Pathological Lying, Healy.
- Honesty, Healy.
- Mental Conflicts, Healy.
- Diseases of Society and Degeneracy, Lydston.
- Outline of Psychiatry, White.
- Forensic Psychiatry, Glueck.
- Crime and its Repression, Aschaffenburg.

SECTION 5

FEEBLE-MINDEDNESS IN RELATION TO CRIME

What is Feeble-Mindedness?—Various definitions have been given. Inability to compete on equal terms with associates. Unable to conduct the affairs of life with ordinary prudence. Unable to adapt himself to the station of life in which he lives. No definition is entirely satisfactory. Feeble-mindedness may be stated in degree of intelligence as expressed by "mental age." A man of thirty with a mental age of ten is feeble-minded. Any one sixteen or more years old with a mental age of eleven or less is feeble-minded. Intelligence may be measured by Binet and other scales. Intelligence may be expressed in percentages. A mental age divided by actual age gives an "*Intelligence Quotient*." Seventy per cent or less usually means feeble-mindedness.

Grades of Feeble-Mindedness: Idiot, Imbecile, Moron.—

Idiot: intelligence does not exceed that of three-year-old child.

Imbecile: intelligence equal to that of child from three to seven years.

Moron: intelligence does not exceed eleven or twelve years. Moron is a *high grade, feeble-minded individual*.

Most morons are not recognized as such but pass as normal or dull. Means for diagnosing high grade feeble-mindedness with accuracy have been available for less than ten years. Binet scale was the first method, (1905-1908-1911). Only perfected since 1910. Still an imperfect scale but very useful. Stanford University Revision by Louis M. Terman the best revised scale. Yerkes point scale highly valuable (Harvard). Supplementary methods of Healy, Chicago, of great value. Various psychologists have standardized certain methods for use in measuring intelligence: Thorndike, Trabue, Woodworth & Wells, Terman, Kuhlman, Fernald and others.

Feeble-mindedness has nothing to do with *lack of education* or *lack of opportunity*. It is an innate defect.

Where are the Feeble-Minded Found?—In society everywhere, high and low. Found particularly in the following classes:

Criminals.	Juvenile delinquents.
Drunkards.	Paupers.
Prostitutes.	Public wards.
Tramps	Much retarded school children.

From twenty-five to fifty per cent of criminals in penitentiaries are feeble-minded; ten to thirty per cent of juvenile delinquents; high percentage of city and county jail cases (probably 30 per cent); nearly all school children who are *retarded three or more years without obvious reasons*; many low-class laborers.

Proportion of Feeble-Minded.—Somewhat uncertain. Goddard says one to three per cent of school population. Of general population at least 1 in 200 (0.5 per cent). In reformatories, 25 to 50 per cent. St. Cloud, 25 to 35 per cent; Whittier, 28 to 30 per cent. Many found among the insane and unemployed. Proportion in jails doubtful, but very high. Proportion among open prostitutes 70 to 90 per cent. Incompetency in the world everywhere points to possibility of feeble mind. Nearly all prostitutes are *incompetent*. Some individuals in high society are incompetent but *protected*. Large numbers of unemployed are incompetent. Large numbers of criminals incompetent. Most paupers incompetent. Incompetency not a matter of laziness, or unwillingness so much as a matter of feeble intellect. This is not commonly understood. Very few social incompetents found among those with normal intellects. *No normal person is habitually lazy*. Feeble-mindedness means an intellect which *stopped growing at a low level and cannot be improved by any known means*.

In the main the feeble-minded are *held responsible* in society because they are misunderstood. They are about as irresponsible as many of the *insane*. Feeble-mindedness and insanity are in no degree similar. Insanity is a diseased mind originally normal in intelligence. The feeble-minded never had normal intelligence. Feeble-minded may become insane. Many of the insane are feeble-minded.

Causes of Feeble-Mindedness.—At least 66 per cent hereditary; proportion probably much higher than this. Some of it due to *disease*, such as meningitis. Some due to accidents at birth or later. Nearly all of the feeble-minded show a *tainted heredity*. Relation of alcohol to feeble-mindedness not entirely known—an important factor. Both parents feeble-minded have *only feeble-minded children*. Thousands of the feeble-minded are permitted to marry every year. Feeble-minded families have been traced back for one hundred and fifty years. (The Kallikak family.)

Crime and Feeble-Mindedness.—Every jail, every reformatory, contains large numbers of this class. Every sort of crime is committed by the feeble-minded except that requiring high degree of ability. Common crimes of the feeble-minded are murder, theft, arson, rape, indecent exposure, assault, and all the misdemeanors. Forgery and bank robbery uncommon because too much intelligence is required. Crimes of the feeble-minded all limited to acts possible for *incompetent persons*. Large num-

ber of automobile thieves belong to this class. Most of these are boys from 15 to 20 years old. *Lack of foresight* is characteristic of the crimes of the feeble-minded. Most of these crimes are stupidly carried out. Pickpockets are rarely, if ever, feeble-minded. Neither are forgers or counterfeiters, or gamblers, or "confidence men."

How May the Feeble-Minded be Recognized?—Only by expert mental examinations. Must be provided for every jail, criminal court, penitentiary, reformatory, public school, juvenile court, poor farm, etc., if cases are to be understood.

Are the Feeble-Minded Morally Responsible?—Only to the extent of their intelligence or mental age. Seven years mental age means seven years responsibility, but even then, of a different general character from normal seven-year responsibility.

Relation of Feeble-Mindedness to Crime.—The feeble-minded lack ordinary judgment. They do not learn by experience. They have the minds of children. Every feeble-minded person is a *potential criminal*. Many of the so-called moral imbeciles belong to the feeble-minded class. Feeble-mindedness was practically unrecognizable by the early investigators, such as Lombroso, (except lowest grade of it), but they did recognize that most criminals are of "low intelligence," dull, stupid. The real defect and its causes were mostly misunderstood, largely because there had then developed no means of estimating intelligence in any exact manner. The theory that crime is *misdirected energy* which might be applied to better purposes is absolutely false. With few exceptions, such as some insane people, counterfeiters, confidence men, etc., criminals are *very stupid*.

Feeble-Mindedness a Permanent Defect.—Intelligence can not be increased in this class. The defect is permanent. Intelligence becomes fixed at various mental or age levels. For practical purposes a mental age of twelve or over permits an individual to compete fairly well in life. Below this mental age most cases are feeble-minded, if the actual age is three or four years greater than the mental age, i.e., actual age 16, mental age 11—intelligence quotient=68 per cent.

Feeble-Minded Can Be Trained.—Training is successful to some degree with the feeble-minded, especially along manual or industrial lines. Judgment is not improved. Intelligence is not increased. The intelligence possessed is properly directed, that is all. Supervision is always necessary. They can not succeed without supervision of some sort throughout their entire lives. Society still holds the irresponsible responsible. Not all feeble-minded are institutional cases. Some will succeed in

simple pursuits if properly trained in them and kept under supervision. Many of the "ne'er do wells" of life are unrecognized morons. Feeble-minded drift into crime largely through incompetency and suggestibility.

My Experience With Feeble-Minded.—The majority of juvenile court cases which present serious problems are feeble-minded. Many are on the border line but cannot be classed as normal in intelligence. Inability to profit by experience in serious matters of life suggests feeble intellect. This fact explains many of the "repeaters" in crime. Feeble-minded never hold a job long unless under supervision. Inability to hold a job suggestive of low intellect, or serious character defect (psychopathic character).

Feeble-Minded Highly Suggestible.—They are easily lead into various forms of crime and delinquency. No moral resistance. Many assassins are feeble-minded. Many thieves are feeble-minded. Many alcoholics are feeble-minded. Many feeble-minded have considerable information but they fail to use it successfully. To know a thing and to use that knowledge are two very different matters. Morals always low among them although they may be "religious" in nature. Many of the peculiarities of criminals observed by Lombroso, Ferri, and others, are now readily explained by *feeble-mindedness*. For example: selfishness, vanity, untruthfulness, immorality, cruelty, lack of foresight, temper, irresponsibility, vengefulness, illiteracy, childish behavior, capriciousness, religion without morals, sensuality, impulsiveness, lack of remorse, and many other common characteristics. Observed by all who really know the criminal class.

REFORMS

Much of the reform proposed in the past and present based upon the false assumption that the criminal is a normal person accidentally gone wrong. Few social and religious reformers know the facts about criminals. The real criminal is a defective, and *crime* is only one of his many symptoms. Revenge has no place in treating the criminal. He is a child in nature—to some extent a savage, an undeveloped man. He needs protection from society and society must be protected from him. Many can never be reformed. The criminal must not beget his kind. Today this is everywhere permitted without restraint. A fixed prison sentence for many criminals is as sensible as a fixed hospital sentence for a sick man. Many criminals should be *segregated* for life whether the offense is a major one or not. The criminal himself rather than the offense is what is most important to understand. Serious crimes, conversely, are sometimes committed by "criminals by accident." Prisons do little for this class. A short sentence is often desirable for them.

Indeterminate sentence the only reasonable one. Whole criminal families are well known, extending over several generations, i. e., the Kallikak family, the Jukes, "The Tribe of Ishmael," and many others. A tainted heredity is found in the families of most criminals. Common taints are insanity, feeble-mindedness, alcoholism, epilepsy, prostitution, pauperism, syphilis, psychopathic character.

Important points to determine about the true criminal:

Family history

Personal history (alcoholism, syphilis)

Crime committed (nature of)

Physical health

Mental state

(a) insanity

(b) feeble-mindedness

(c) epilepsy

(d) psychopathic character

(e) neuroses

Remember that arrest and conviction do not necessarily mean that the individual is a criminal. Many laws are unjust. Many are obsolete in character. A small proportion of criminals are merely criminals by accident. These people are often of the highest intelligence. Many people who are held in jails are not criminals at all. Examples: violations of city ordinances, drunkenness, etc.

Courts do not discriminate between accidental and true criminals. Neither do prisons. It is all a matter of "Code and Procedure."

Summary

Feeble-minded are permanently arrested in mental growth. No feeble-minded person has a mental age greater than twelve years. The mental age may be at any age level from twelve to one or less. Most of the feeble-minded criminals are of the high grade type, viz.: morons, i.e., mental age somewhere between seven and twelve years. An average is somewhere near ten years. Social incompetency always suggests feeble intellect. Criminals, prostitutes, paupers, tramps, are in the main incompetent. Feeble-mindedness is not related to insanity. The insane may have been normal once. The feeble-minded never normal (with few exceptions). Most feeble-mindedness due to *hereditary defect*. Accident is rare cause. Disease not common cause. No feeble-minded person should beget children. Segregation or sterilization or both desirable. All criminals should be examined for both insanity and feeble-mindedness. Feeble-minded criminals commit crimes which do not require high degree

of ability. The feeble-minded are all *potential criminals*. Satisfactory mental tests of feeble-mindedness have been developed only in the last ten years—are still imperfect but very valuable. A psychopathic laboratory is as essential to the crime problem as courts or jails. The feeble-minded are responsible only to their mental age level. Most cases of high grade feeble-mindedness unrecognizable by those handling them, including police officers, judges, probation officers, guards, wardens, prison physicians, lawyers, teachers, parents. There is no longer any excuse for this situation.

SECTION 6

EPILEPSY AND CRIME

Not a definite disease but associated with a variety of conditions. May occur with or without convulsions. May occur early or late in life. May occur at any period.

Idiopathic Epilepsy (Common Epilepsy).—Does not appear to be dependent upon some other condition. Cause: doubtful. May be related to an infection in the intestinal tract. Indirect causes: may be brought on by intestinal disturbances, excitement, etc. May or may not be accompanied by convulsions, with unconsciousness. Unconsciousness may last a short or long time, seconds or hours. Two main varieties: *petit mal* (slight), *grand mal* (serious).

Disturbances may occur before fit. These may last for hours or days. Include irritability, depression, dullness, hallucinations. A fit relieves these conditions, but there is usually temporary confusion after the fit, often followed by *long sleep*. Person may pass into state of frenzy just before or just after fit. Very dangerous to himself and others at this time.

Psychic Epilepsy.—Not uncommon. Person may not have a fit but instead goes about in a *dream state*. May do anything in this state, travel about, commit a crime (sometimes of terrible violence). Condition may last short or long period. There may be no memory of things done during this period. Epileptic often shows the "*epileptic character*." He is morose, irritable, suspicious, unreliable. Attacks of transitory ill-humor are common. Sometimes quarrelsome, sometimes religious excitement. Unusual forms of sexual excitement rather common. This may result in masturbation, sex perversion, indecent exposure, etc.

Epilepsy may result in mental deterioration, either insanity or various degrees of feeble-mindedness.

In *petit mal* the individual may be confused for an instant only, with no convulsion.

In *grand mal* there is a convulsion. Patient falls unconscious, breathes hard, face is blue, froths at mouth, staring eyes. Often passes urine or feces involuntarily. Often bites tongue. This is the common form of sudden unconsciousness seen on streets. Epilepsy common in criminals. Many criminal acts may be explained by epilepsy. Attacks may occur in sleep only. Patient awakes tired, lame, often with sore tongue.

Important Points.—Strange acts may be committed by epileptics during dream-states, with no subsequent memory of them. Murder possible. Emotional disturbances common. Bad temper often seen in epileptic families, without seizures. Healy found 7 per cent of 1000 cases among juvenile delinquents epileptic. Frequent spasms in childhood always suspicious. Mental make-up of epileptics peculiar. Gradual mental deterioration common. Insanity common in epileptics.

Common Epileptic Traits and Characters.—

Emotional
Inconsistent
Irritable
Ill-tempered
Religious } often associated
Cruel }
Sullen
Impulsive
Self-assertive
Self-centered
Obstinate
Sex offenses
Dull
Excitable

Epilepsy, when associated with old age (with arterial changes), with brain tumors, with syphilis, with injury, is not so important in relation to crime.

SECTION 7

ALCOHOLISM IN RELATION TO CRIME

Very intimate relation of alcohol to crime, and other forms of degeneracy. Alcohol is a poison to the central nervous system. It may produce insanity. At least twelve per cent of insane in institutions are there because of alcohol (Billings). This is a very conservative estimate. Statistics very uncertain in this field because of complicated relationships. For example, many alcoholics have defective mental make-up first and the alcoholism is a symptom of it. Alcohol may then aggravate the mental condition. Alcoholism often incidental to various forms of insanity, i.e., paresis, maniac-depressive, dementia praecox. Individuals with psychopathic constitutions easily become alcoholics or drug habitues. *Few, if any, normally constituted individuals become alcoholics.*

Hysterics and psychathenics often drink to protect themselves against the realities of life. Many of these become dipsomaniacs. Every alcoholic needs a careful mental examination. Many will be found insane, many of very defective mental constitution. Unstable individuals possess very little resistance to alcohol. Alcohol is, in a degree, a measure of the degree of mental resistance of an individual. Alcohol may result in mental deterioration. Alcohol may bring out *latent defects*, for example: hysteria, epilepsy, sex perversions. Chronic alcoholism produces degeneration of the central nervous system and affects every portion of the body. Diminishes capacity for work, affects memory, judgment, etc.; causes moral deterioration. The drunken man is always *insane* for the time being, whether he is an occasional or a habitual drinker. He shows typical manifestations of a disordered mind.

Many crimes committed by alcoholics, i.e., assaults, sex offenses, thefts, murder, arson, business crimes. Alcohol may produce convulsions, which are the counterpart of epilepsy. All sort of mental disturbances may occur in the chronic alcoholic. Hallucinations and delusions are common. Loss of memory is common, resulting in all sorts of false statements. This occurs in a severe form in *Korsakow's Psychosis*.

Dream States.—Alcohol may produce dream states. In this state "the subject of alcoholism may do almost anything imaginable, make contracts, transfer property, commit criminal acts, take long journeys, enter into complicated business or professional transactions, and later have absolutely no knowledge of what he has done." This is similar to some

epileptic states. The individual's actions may appear perfectly normal during this period to those whom he meets. He does not appear like an intoxicated man.

Chronic alcoholism leads to alcoholic dementia. It is first noticeable in the moral and esthetic sphere.

Dipsomania is a periodical impulse to drink; periods may be long or short. It is based on a deep-seated defective nervous make-up of the individual. True alcoholism a symptom of an abnormal constitution.

Alcoholism closely related to insanity, feeble-mindedness, epilepsy, criminality, sex perversion, and various other forms of degeneracy. Some of these forms often found in the family of the alcoholic. Always important to know the family history of an alcoholic. *Not every drinker is an alcoholic.* Careful discriminations necessary. Arrest and punishment of alcoholics has no effect upon their behavior. It is time and money lost. Alcoholics need treatment primarily and often restraint. The advertised cures are largely "fakes." They do not consider the fundamental defect in the alcoholic's constitutional make-up. Ordinary jail and prison sentence are worthless except for temporary purposes of restraint. Court procedure with alcoholics hopelessly behind the times, in most instances. Jail and prison farms very useful under proper medical supervision. Nothing reflects the ignorance of proper methods in criminal procedure more clearly than the usual treatment of "jags" in courts and in jails.

Dr. Victor Anderson, of the Boston Psychopathic Laboratory, has given the following results of his findings with alcoholics who were repeatedly arrested. Each person averages about 17 arrests in this list.

One hundred cases. Total number of arrests, 1775.

Self-supporting	51%
Non-self-supporting	49%
Feeble-minded	37%
Insane	7%
Epilepsy	7%
Alcoholic deterioration	17%
Psychopathic constitution	32%
Normal individuals	None

Comparison of chronic drinkers with periodic drinkers, 50 of each.

Only 24 per cent of chronic drinkers have a mentality over 12 years, while 74 per cent of the periodic drinkers have a mentality over 12 years.

Fifty-eight per cent of the chronic drinkers are feeble-minded and only 16 per cent of the periodic drinkers.

The feeble-minded and insane predominate among the chronic drinkers; the psychopaths among the periodic drinkers. Seventy-two per cent of

the chronics are not self-supporting. Seventy-four per cent of the periodics are self-supporting.

Occasional drinkers are not considered in this report.

In speaking of the *periodic drinker*, Dr. Anderson says: "These individuals are little modified by any form of treatment that does not take into account their mental make-up. . . . He is constitutionally unequipped to fight the battles of life; he seeks forgetfulness in alcohol."

The chronic drinker needs prolonged care and treatment in a hospital, not in a jail or prison. The periodic drinker is more easily handled but requires medical, psychological and social methods of treatment. Alcoholism is a disease, not a crime.

Summary

Alcoholism is a disease. Alcohol is a poison. Alcoholics are mostly persons of defective psychic make-up to begin with. Psychopaths take to alcohol easily. They have little resistance to alcohol. Hereditary taints are very common in the families of alcoholics. The germ-plasm of alcoholics is probably always injured. The children of alcoholics often show various forms of degeneracy, but not always alcoholism. Incurable alcoholics should be segregated or sterilized. Curable cases must be treated. Alcohol is the cause of more crime than all other things combined. Punishment has no effect on the alcoholic. Alcoholism is related to and complicated with insanity, feeble-mindedness, epilepsy, sex perversion, crime, and various other forms of degeneracy. Alcohol the commonest cause of crime. Not all drinkers are alcoholics. Absolutely necessary to determine the drinker's mental make-up. Reform of court and prison procedure greatly needed in handling alcoholics.

Reading References:

Outlines of Psychiatry, White, chapter xiii.

Article by Dr. Victor Anderson in *Journal of Criminal Law and Criminology*, May, 1916.

SECTION 8

PROSTITUTION AND CRIME

Prostitution is closely related to crime. It has been said that the prostitute is the female equivalent of the male criminal. The point of view taken in regard to prostitutes depends very largely upon the *interests* of the investigation. Some maintain that prostitution is largely a social question dependent upon environment; some say it is largely a matter of defective intellect. Some claim that prostitutes are largely unfortunate victims; others that they largely enter the ranks and remain there from choice. The question is practically impossible to settle. Many factors—not one or two—are present. All agree that prostitutes in the main come from a low class of society, that very few ever come from the better classes of society and almost none from the highest class. Poverty, bad education, lack of moral training, bad housing conditions, bad industrial situations, and many other factors, all contribute to the easy fall of women. On the other hand, all carefully made investigations prove that the vast majority of this class are of *defective mental constitution*. From 70 per cent and upward to nearly 100 per cent have been found defective. Defects of mind include insanity, feeble-mindedness, epilepsy and psychopathic constitution. All recent reports demonstrate this condition conclusively. Alcoholism and drug addictions are common. Syphilis is present in some phase in most prostitutes. Various forms of crime are frequently observed, more particularly theft. Women are not born to prostitution any more than men are born to crime, but feeble intelligence makes both easy in any environment, and almost inevitable in a thoroughly bad environment. Prostitutes are industrially incompetent. Their mode of life is in the line of least resistance. Few are capable of filling even the poorest positions in the world. They are notoriously superficial and unstable, but often possess an appearance of ability and even mental alertness. Very few have much education. Hardly any have completed the ordinary grammar grades. Most are woefully lacking in common ordinary general information. Among the so-called “better classes,” conditions are better, but even here *psychopathic traits* are the rule. They are again notoriously unstable.

In the main the women of the prostitute class, even if they were not prostitutes, would still never be anything but incapable people in society. Present methods of reform, and punishment by means of sentences, fines,

rescue houses, and closing segregated districts, accomplish little, largely because the individual and social problems underlying prostitution are totally disregarded.

The *mental ages* of prostitutes usually range from 7 to 12 years.

Reading References:

Criminology and Economic Conditions, Bonger.

Report of Vice Commission, Philadelphia.

Report of Vice Commission, Chicago.

Prostitution, Its Nature and Cure, Peyton Penal Reform League, London.

Prostitution in Europe, Flexner.

Note 1.—These statements do not refer to occasional clandestine prostitutes, or the “mistresses” in the higher social scale. Probably most of these are as intelligent as the average of the social class in which they move. Whether they are to be regarded as social offenders or not depends upon the personal point of view, racial customs, and many other factors.

Note 2.—“White slavery” as it is ordinarily understood, is a pure myth. Prostitutes do not wish to change their form of life, as long as they are physically well and professionally successful.

SECTION 9

PSYCHOPATHS

Under this group are included individuals who are neither insane nor feeble-minded but who possess a very unstable, nervous make-up. Many psychopaths are found among alcoholics, prostitutes, drug habitues, sex perverts, hoboes and criminals. There is usually a defective heredity. There is often discovered in the family history one or more of the following hereditary taints: epilepsy, hysteria, feeble-mindedness, insanity: nervous disorders or *neuroses* of various kinds are often present in the family. Other psychopaths may often be discovered among relatives. Psychopaths are therefore characterized by extreme instability of character. In a sense they are first cousins of the insane, in that they represent a border line type between the nervous and the insane.

They fall easy victims to all sorts of vicious habits. They rarely, if ever, succeed in life for any considerable period. They are among the most difficult of mental cases to deal with because they appear so nearly normal on superficial acquaintance.

Sex Perversion.—Under this general head are included for convenience of classification individuals who possess various abnormal sexual constitutions. In a sense they seem to be biological blunders.

Treatment is rarely successful and the defect appears to be largely innate.

SECTION 10**JUVENILE DELINQUENCY¹**

¹ *Honesty, Healy.*

(A) Minor Delinquencies (Dishonesty)

Probably 60 per cent of cases in juvenile courts are of this character.

Character of common minor delinquencies:

Theft.

Lying.

Wanderlust.

Truancy.

Some sex habits.

Incorrigibility.

General misdemeanors.

Diagnosis of Individual Cases.—Avoid seizing upon a single factor, in studying character and conduct. This is superficial observation. Complexity of causes in misconduct nearly always present.

Common Causes.—Adults often fail to understand the world of the child. Feeling of childhood forgotten.

Parental repression of natural impulses.

Indifference of parents.

Unconcern of parents in the misdemeanors of children.

Exaggeration of misconduct.

Complications of social conditions.

Mental background of child often more or less abnormal.

Important factors to study:

Age.

Maturity (physiological).

Health.

Home conditions.

Parental behavior.

Companionship.

Discipline.

Ideals at home.

Ideals of community.

Religious training.
Amusements (often restricted).
Amusements (often vicious).
Daily habits (lack of method).
Mental state (normal, feeble-minded, etc.).
Complexes (repressions, etc.).
Age of moral awakening (varies greatly with different children).
Respect for property.
Need for personal property (spending money, etc.).
Poverty.
Extravagance.
Loose financial habits of parents.
Actual dishonesty of parents.
Immorality of parents.
Abnormality in older persons in the home, such as insanity, feeble-mindedness, etc.
Bad standards in community.
Lack of parental companionship.
Broken families (in at least 50 per cent of all cases).
Social excesses of parents.
Left in care of servants.
Bad gangs.
Home irritations.
Injustice at home.
Lack of wholesome interests.
Education.
Constructive home interest.
Gang psychology.
Gangs for adventure.
Vicious gangs.
Normal equivalent for gangs.
Truancy (causes for).
Results of truancy.
Misfit conditions at school.
Lack of school adaptation to the child.
Feeble-mindedness.
Epilepsy.
Juvenile insanity.
Hysteria.
Nervous disorders.
Sex complications.
Impulsions and obsessions.
Wrong mental habits.
Habit formation in general.

Treatment:

Healthy ideals.
 Good habit formation.
 Discipline (at times severe).
 Change of environment.
 Medical treatment.
 Substitution of normal activities.
 Sympathy, education.
 Institutions.
 Sterilization.

Pathological Lying (Healy).—Falsification out of proportion to any recognizable end in view, in the absence of mental defect, insanity, or epilepsy. Usually covers many events; hardly ever centered in a single circumstance. Relation to swindling; usually covers a considerable period, often a lifetime. Lying may be about others or may be *self-accusation*. Often very fantastic in character. May involve the reputation of others. Court complications of serious nature often occur. Social workers must be familiar with it. Teachers, ministers, doctors, often fail to understand such cases. Cases often appear very reasonable. Often no motive, or motives are *buried*. Motives may be apparent. Person sometimes does not seem to know he is lying. *Defective heredity* is very commonly present. Upsetting personal experience common. Also found in hysteria, neuroses, chorea, psychopathic constitution, drug habituation. Individuals may vary from mental sub-normality to supernormality, and from border line psychoses to real insanity. Sex experiences with mental conflicts often discovered in cases of pathological lying.

Prognosis or Outlook.—Depends upon circumstances, family history, neurotic states, etc. If it develops during the adolescent period, it may be of short duration. If of long duration, the outlook is rather bad.

(B) Serious Juvenile Delinquencies

Rape.	Kleptomania.
Murder.	Prostitution.
Repeated theft.	Assault.
Arson.	Sex perversions.

References for Reading:

The Individual Delinquent, Healy.
 Pathological Lying, Healy.
 Honesty, Healy.
 Being Well Born, Guyer.
 Youth, Hall.
 The Child, Tanner.
 The Health Index of Children, Hoag.

SECTION 11**PSYCHOPATHIC LABORATORIES FOR THE STUDY OF CRIME
AND DELINQUENCY**

These laboratories are all of rather recent origin. One of the first psychopathic laboratories was established in 1909 on a private foundation furnished by Mrs. William Dummer of Chicago, with Dr. William Healy as director. It was at once associated with the juvenile court. Mrs. Dummer maintained this laboratory for five years when it was taken over by the county. This Chicago laboratory has set the standard for such laboratories in the whole country. The first laboratory of clinical psychology not directly connected with the study of crime was established by the University of Pennsylvania, with Dr. Lightner Whitmer in charge. This laboratory has been a leader in clinical psychology as related particularly to education. Other important laboratories of clinical and educational psychology include particularly The Bureau of Juvenile Research in Columbus, Ohio, Dr. Haines, director; The Bucktel Foundation Laboratory at Stanford University, with Professor Louis Terman, director; The Department of Education Laboratory under Dr. Thorndike, at Columbia University; Boston Municipal Laboratory, Dr. Victor Anderson, director; Chicago Municipal Court Laboratory, Dr. Hixson, director; Seattle Juvenile Court Laboratory, Dr. Merrill, director; San Francisco Juvenile Court Laboratory, Dr. Olga Bridgman, director; Los Angeles Juvenile Court Laboratory, Dr. E. B. Hoag, director; Sing Sing Laboratory, Dr. Glueck, director; Whittier State School Laboratory, Dr. Harold Williams, director; The Gazelle Foundation Laboratory, Dr. Smith, director; University of Washington; The Jefferson Reformatory Laboratory. St. Louis, Philadelphia, Los Angeles, Pasadena, Oakland, Chicago, all have psychological laboratories in connection with the public schools. These are indirectly related to the subject of delinquency in the way of detecting defective children who are liable to drift into trouble.

Brief Illustrative Summaries of Court Reports

Case 1

Charges: Vagrancy; Use of Dope; Alcoholism; Theft.

Man; age, 27. American.

This man has been under arrest frequently for alcoholism and drug habits. He takes both cocaine and morphine. Occupation, tailor by trade; also a roofer. He works very irregularly and seldom holds a job long; never longer than five or six months. He is a periodic drinker and a periodic user of cocaine and morphine, according to his statement. These habits began at about 14 years of age.

Physical Examination.—This man appears physically well and has no physical defects of any consequence. In spite of his habits he is a strong appearing young man.

Family History.—Father dead; mother, now 42 years old, living. One brother is a steady worker, and is a roofer; he apparently has good habits. One brother died in infancy, cause unknown. There is no history of insanity or feeble-mindedness in his immediate family. The father was an upholsterer by trade, who worked regularly, but was a heavy drinker and used morphine. He died at 39 years of age of alcoholism. Two second cousins on the father's side were probably feeble-minded, from the history which I was able to obtain. Two uncles of his mother's have never earned a living and have always been cared for at home. These men are undoubtedly feeble-minded. Two brothers on the father's side used opium. They are living but have no regular occupation. One is a gambler and no definite knowledge could be obtained concerning the other one. Both are heavy drinkers. One uncle of his on his father's side is said to own a house of prostitution in San Francisco. This is the same one who is referred to as the gambler above.

Mental Examination.—He makes a very intelligent conversationalist. He has a remarkably good vocabulary in spite of the fact that he never went any farther than the sixth grade, which he did not finish, in the public schools. He is well informed on general subjects and able to do any ordinary arithmetical work required of the average person. On the Binet Intelligence Scale, Stanford Revision, he grades a little better than average adult. His vocabulary is that of the average adult. He responds to all tests very quickly and shows no irregularity in his responses.

General Summary.—He is of more than average intelligence for one of his class and has an intelligence quotient on the Binet Scale of a little better than 100. He shows no indications of insanity, no indications of physical deterioration, but on the other hand is quite sound physically. I regard this as a plain case of psychopathic character, based on a family history showing alcoholism, drug-habitation and feeble-mindedness in one generation removed. He admits having had gonorrhoea, but denies syphilis. He should, however, have a blood examination, for the latter. With such a family history as he has, it would be rather remarkable if a syphilitic taint is not discovered. Nothing, however, in the physical examination, indicates any degeneration from syphilis.

In spite of excellent intelligence and good health, this man is socially incompetent. Prison sentences are, in my opinion, without any effect whatever; that is, permanent effect. Without medical treatment, no cure of his condition can be expected and he

will revert to his old habits about as soon as he is released. Following the history of these cases in general, he will, under present conditions, gradually degenerate, become involved in crime, especially larceny, and sooner or later become a public ward in a hospital or other public institution.

Recommendations.—While cases with a history such as this one can never be regarded as very hopeful, there is reason to believe in this case that proper treatment might yield fairly satisfactory results. I would recommend obtaining his consent to commitment in the State Hospital at Patton for a treatment for his drug habits and alcoholism. While he undoubtedly has a weak moral character, due to his bad heredity, it is possible that he may be made a fairly competent member of society, or at least sufficiently so to enable him to keep fairly regular employment and avoid an actually criminal career. Nothing else that I know will have any effect whatever in the rehabilitation of this man.

Case 2

Charges: Arson.

Man; age, 26 years, rancher, married, no children.

This man was formerly a produce dealer and has been reasonably successful in business. Formerly lived in Pomona but has recently lived in Holtville. This man is accused of arson. Certain goods of his were stored in a barn which is owned by a widow. Insured both the barn and its contents in his own name and attempted to collect insurance on both barn and contents.

This man is physically strong and vigorous. Converses well, and appears more intelligent than the average ranchman or produce dealer.

Mental Test.—His vocabulary, as per scale, is less than normal, only equal to that of a thirteen-year-old boy, but this does not appear in ordinary conversation and he has no difficulty in understanding ordinary conversation with an educated person. He passes the twelve-year tests satisfactorily, most of the fourteen-year tests and at least one of the sixteen-year tests. His memory span for numerals is 6. Does the reversed hands watch test in 10 seconds.

Mental Diagnosis.—Tests out rather irregularly but should be regarded as essentially normal for a man of his class. Mental age for purposes of record a trifle less than fourteen years.

This man has a definite history of epilepsy, has had many severe and slight attacks over a period of three or four years and a history of dizziness and mental confusion for four or five years prior to this period. Some of his friends think that he has shown evidences of mental deterioration during the last three or four years but a stranger would not be able to detect this on examination. He makes an excellent impression on the witness stand for himself, answers questions definitely and accurately without any hesitation and in good language. This man should be regarded as practically normal in intelligence, though possibly a little dull. He is not feeble-minded; he is not insane. He is definitely epileptic and has been so for a period of at least five years and probably much longer than this.

Recommendation.—It is almost impossible to make legal recommendations in this case as the examiner knows nothing of the case except by hearsay and what could be established in one examination. It is my opinion, however, that it would be possible for such a man as this one to commit the crime of arson, under conditions as are alleged to have existed in this case, while in a state of mental irresponsibility. It must remain for the court to decide whether the findings bear out the reasonable presumption that this was the case. On the other hand, an epileptic might be guilty

of arson and be entirely responsible for his act at the time of committing the crime. The essential point to establish in such a case is whether the defendant was in a state of mental confusion immediately before, or soon before, and after the alleged case of arson, whether his memory, during this period, was clear or confused, whether he appeared normal or peculiar to acquaintances during this period. It should be stated finally, from the medical point of view, that in a given case of confirmed epilepsy, almost any sort of abnormal behavior or conduct is possible, and that hardly anything offers a greater variety of peculiar symptoms in the way of conduct than does epilepsy.

General Notes.—This man's second wife, to whom he has been married a year, states that he often has periods of mental confusion which may last from a few moments to several days; that he is sometimes forgetful and that she has seen him in several seizures or convulsions; that he is kind and good-tempered but often confused in keeping his business accounts, thereby making serious errors at times.

There is history of one second cousin, who was feeble-minded, and he states that he has a sister who sometimes has slight fainting spells. He does not use alcohol or tobacco. He has received a fairly good education, having finished part of the eighth grade. He was not, however, interested in school and had to repeat the sixth grade. This man states that he reads very little except the papers and reads them only superficially; that he finds it hard to concentrate his mind on anything and is inclined to make rash decisions in business. States that he has property worth \$6000 to \$7000. There is pretty strong evidence that this man is deteriorating mentally, which is often the case with epileptics.

Case 3

Charges: Immorality; Incorrigibility; Shop-lifting; Malignant Accusations.

This girl is 19 years old. Physically well developed and is strong and healthy. No disease or physical defect present. She makes a very good impression on superficial observation, uses language pretty well and would not ordinarily be suspected of having any marked defect of any kind. She has earned from \$15 to \$20 per month in housework. Her general information is absolutely negligible. She has no knowledge of the simplest things in geography, does not know her multiplication tables beyond the 5's or 6's, is unable to perform any arithmetical sums except such as a child of eight or ten could do; for instance, she cannot subtract 13 from 100, not even after she discovers that 10 from 100 equals 90. Her "following directions" test was full of errors and required something like ten minutes. It was not done as well as a child of nine would ordinarily do it. She is a pathological liar. On the Binet scale, she appears as a middle-grade moron.

Summary.—This girl is feeble-minded, a pathological liar; she is a psychopath, possibly insane and in every respect a serious menace to society.

Recommendations.—In my opinion this girl should be sent to the psychopathic ward for observation as to her sanity. A girl of this type is not a safe member of society in any respect.

Case 4

Charges: Gross Sex Immorality; Untruthfulness.

This boy, aged 14 years, 3 months, is very much retarded in school, being in the fifth grade at present and never having learned to read better than a ten-year-old child. His general information is negligible; knows nothing of the most common geography, says that London is in Europe, Paris is in Europe. Cannot locate any

large cities of the United States outside of this state. Does not know the capital of California or the name of the governor of the state. Is unable to multiply with any accuracy beyond the table of 5's, unable to subtract with any accuracy amounts higher than 10. Adds very inaccurately except when using small numbers.

An older brother, aged 17, is an epileptic and has never passed beyond the fourth grade in the public schools. There is some reason to believe that he also is feeble-minded, although I have not examined him. The sister is said to be normal but is called a religious enthusiast and has recently gone East to enter a Catholic institution in order to become a Sister. She seems to be regarded as a little peculiar. Father is a very superior German, who, as the foreman of a large ranch, has been able to acquire more than \$150,000 worth of property. Mother normal.

The boy's mental test corresponds very accurately with his school grading and what one would judge from common sense observation.

Physically he is small, undeveloped, but not suffering from any definite disease or defect.

He made three errors in the "Completion Picture" test and several errors in the "Following Directions" test, even when it was read to him.

Diagnosis.—Boy's mental age is 10 years and 2 months, giving him a retardation of exactly four years. Is unquestionably feeble-minded, although his parents do not seem to recognize this fact. There is no reason to think that he will succeed in life unguided, but he ought to be able to earn his living and conduct himself fairly well if he could be placed under somebody's supervision. He will never do well in a public school and ought to be placed in some sort of a private school and where he can receive individual instruction. His feeble-mindedness is sufficient to account for his indecent letters and obscene pictures. The fact that he showed no judgment in the way he exposed these letters and pictures publicly is plain evidence of his feeble-mindedness.

Case 5

Charges: Assault; Rape; Vagrancy.

Boy, 19 years old:

This boy is a physically well-developed negro, who has been an amateur prize-fighter. He gives a history of having had what appeared to be attacks of epilepsy at Ione and later in the county jail. He was sent away from Ione on account of these attacks. He admitted that he had learned how to simulate these attacks and that he could deceive anyone with them.

May 31st he was reported to be having an attack in the jail at about 10:30 A.M., and on request of the judge I visited him in the jail at this time. I found him in what appeared to be a semi-conscious state, barely able to walk about and apparently delirious. He complained of pain in his stomach but was unable to say anything else. Aside from a pulse rate of about 125 there was nothing else to attract any particular attention. We kept him under observation for about half an hour in the hospital room during which he several times laid down on the floor and at no time appeared to be entirely conscious of his surroundings. He was able to answer some questions but not very intelligently. He apparently was unable to recognize anything in his surroundings. His pupils reacted to light with considerable difficulty.

On the way back to his cell he suddenly fell on the first step and rolled over and over to the bottom, striking on the iron floor of the gallery. He then slipped off two or three other steps onto another platform. The guard called me and I found him in a most violent convulsion. Five men were required to hold him in position although he made no very purposeful motions. He had a typical epileptic seizure, with general

convulsions, local convulsions of the face, dilated pupils, heavy breathing, rapid pulse and frothing at the mouth. He remained in these convulsions for about ten minutes, when he attempted to sit up, looked about with a wild sort of expression and passed into a second violent convulsion. After about five minutes more he was carried into his cell and placed on his bed where he slept without interruption until 3:30 in the afternoon. At this time I visited him and found him in a somewhat confused mental state but able to answer ordinary questions. He soon laid down again and passed into a second sleep.

The history of this case is incomplete and somewhat indefinite. Further details should be obtained.

Diagnosis.—Epilepsy, combined with hysteria and a strong suspicion of insanity; particular form of insanity at present impossible to state.

Recommendations.—This boy is no doubt a dangerous character and is likely to become violently insane or have epileptic seizures at any time, when he may do serious damage to anyone in his neighborhood. He is entirely unsafe to be at large and is at all times a menace. He should be returned to the psychopathic hospital for observation. It is probable that he would do best if sent to the State Hospital at Patton.

Additional information in regard to Case 5.

The person who is in the same tank with this boy told me that the night before his epileptic attack of May 31st, he wandered about peering into the different cells in a foolish sort of a way and talked a great deal about a party he was going to have, with much ice cream, dancing girls, etc. They say that during the last twenty-four to thirty-six hours he has eaten practically nothing except a little bread. He slept continuously after his epileptic seizure from half past eleven until about half past four, and even at this time did not seem to be thoroughly conscious of his surroundings, although he would answer questions when addressed to him. At this time he stated that he had never had a fit and appeared to have no recollection, whatever, of what had happened during the day up to the time he awakened. He stated that he needed some salts and had had no movement for about three days.

From all the data so far secured, it appears that this boy is an insane epileptic, his insanity being of a periodic type. It is my opinion that his previous attacks, instead of being a matter of pretense, were true attacks of epilepsy and that his confession of malingering is merely a part of his insanity; that he actually thought that he did imitate attacks although, in fact, he did not do so. His whole behavior corresponds exactly with that of the insane epileptic.

I regard his case as a very serious one and consider that he would be a very dangerous individual if allowed to be at large. He is likely, at any time, to assault someone during one of his insane periods or just preceding his epileptic seizure.*

Case 6

Charges: Theft; Vagabondage; Lewd Habits.

This boy, aged 17 years, claims to have practically finished the eighth grade and to have done some ninth grade work, although he says he has not been in school for about four years. He seems to have led a wandering life for four or five years, about which he is disinclined to talk very much. He states that he refrained from talking to the judge in court last week because he thought it prejudiced his case. He finally admitted to me that he had been a tramp, a go-between for disposal of stolen property and a "pimp." He states that his principal income has been obtained for some time through acting as an agent for irregular women and girls. He says that this is a

* After release a very serious assault occurred within three months.

very easy way to make a living; that he is always able to have enough clothes of good quality and to support himself in comparative ease by this means. It is for this reason that he has found it difficult to refrain from engaging in this kind of occupation. He does not admit actual thefts except in connection with the automobile incident, but intimates that many of the customers he brought to the girls were robbed by them. He states that it was none of his business what the girls did to them after he had introduced the men to the girls. It seems to me that he has fallen into this life more or less by accident and has discovered that it is an extremely easy way of making a living and has therefore found it very difficult to discontinue it, but at the same time he makes the impression on me of being anxious to discontinue what he admits is a disgraceful and disreputable sort of an occupation. He appears to be ashamed of what he has done and to desire to live a decent and wholesome sort of a life. He claims that he would like to go out on a ranch and, if given a chance, will make good.

The boy is well-informed, mentally rather alert and grades normally on the intelligence scale. I think the boy is perfectly competent, able to earn a living at almost any sort of ordinary work, and unless he is too weak morally, will very likely succeed, if properly placed. It is, of course, impossible to know whether or not he will be strong enough to carry out his good intentions. He certainly is a weak-looking character and I would suspect that he may have a large number of very vicious personal habits and be capable of almost any form of moral perversion, but in the absence of absolute proof to this effect, I would be inclined to give him one chance to prove what he can do.

This boy has had a skin disease of long duration, which no one seems to have recognized. It is scabies or common itch, which is very easily cured. He should be sent to the county hospital and tested for syphilis. He gives a history of gonorrhea.*

Case 7

Charges: Dependent Child; Incompetent; Truant.

This boy is aged 16 years, 10 months, in grade four, public school. Boy has very poor school ability and can only do the simplest kind of school work.

Physically he is normal.

His mental age is only 7 years and 8 months. He therefore grades as a low-grade moron. This boy might possibly succeed fairly well on a ranch as a common laborer, but he will never be able to succeed in city life where the conditions are complicated. I find that he is able to follow only the simplest kind of directions. His general appearance is good and altogether too much will be expected of him unless those who employ him are informed as to his actual condition.

Case 8

Charges: Stealing; Truancy; Incurability; Sex Offenses.

Boy, 16 years old:

Examination of June, 1916, shows that this is a physically normal colored boy of feeble mind. Intelligence quotient 70 per cent. This should be accepted with some reservation as colored boys of this age grade lower than most white boys of the same age, but taking into consideration his family history and behavior, I think he can be regarded as definitely feeble-minded.

Family History.—Father and mother are separated. There are two other children home, one aged four and one fourteen, both normal. Mother has had eight children altogether, five of them still-born. Some were miscarriages and some were abortions. Mother is a very intelligent colored cateress with negative family history on her side.

* This boy failed on probation.

Says that her father and mother and brothers are all intelligent, self-supporting colored people. The father of this boy is alcoholic and has been regarded as insane by those who know him. He has never had a definite mental examination. He is suffering from tuberculosis at present and is regarded as generally worthless. His wife tells me that he always was peculiar, although she did not recognize that he was mentally unsound for a long time. He has been a dishwasher on a dining car, driver of a truck and engaged in other occupations not requiring much ability. His behavior has been slightly immoral and very objectional, although there was no actual criminal record aside from having annoyed some women by foolish attentions. Mother does not know very much about his people except that his mother was a white woman who seemed to possess ordinary ability. Nothing much known about this man's father. From all accounts this man is feeble-minded and probably insane. He has suffered from syphilis for a good while.

Diagnosis.—Feeble-minded colored boy of the moron type with probably not enough ability to ever float himself in society. Probably an institutional case. The mother ought to be released from the responsibility of caring for such a hopeless child as this one, as she seems entirely able to bring up the other two children in a satisfactory way.*

Case 9

Charges: Theft; Runs Away; Incurability.

Boy, 14 years old:

General Information.—This boy is in the fourth grade and is not succeeding very well. He is totally lacking in ordinary information—does not know the name of the president of the United States; the capital of California; does not know the name of the ocean on this coast; cannot locate the Panama Canal; cannot give the name of any river; has no notion of what a cloud is, or what rain is; knows his multiplication tables only to 6's; after that is very inaccurate although is occasionally correct. Subtracts small numbers but frequently makes mistakes with anything over 10. Adds fairly well; does short division fairly well. Unable to solve any simple problems which are in the least abstract.

Physical Condition.—Aside from a slight stuttering, there is nothing of importance to note in his physical state. Has never had any serious illness.

Mental Condition.—He passes all the nine-year tests including the alternative test, satisfactorily. He also passes most of the ten-year tests but less satisfactorily than the nine. Fails on a considerable number of the twelve-year tests, for example, No. 1, No. 8, partially on No. 7, partially on 5 and 6. For practical purposes, intelligence quotient may be given as about 77 per cent. It is difficult to say whether he is a feeble-minded case or on the border line. From his past conduct one would be inclined to grade him as feeble-minded; from his actual performance in tests one would be inclined to grade him as border line. For provisional purpose he may be considered a border line case, possessing very little moral responsibility and quite incapable of succeeding alone. Report on this boy from San Francisco, made by Dr. Olga Bridgman, grades him as dull but probably not feeble-minded.

General Observations.—This boy's responses are very slow. He is dull-appearing and would make the impression on anyone of being a very dull boy. Without knowing anything about the ancestry I would suspect the possibility of epileptic constitution from his irregular performances and general psychic make-up. He possesses a very deficient psychic constitution, no matter how he may be eventually graded by tests.

N. B.—As this boy had already been tested a number of times before he came to me and has memorized the correct answers to some of the tests, I am somewhat uncertain just where to grade this boy on the scale.

* Wasserman test for syphilis should be made.

Case 10

Charges: Incurribility; Truancy; Threatened Assault.

Boy, 16 years old:

School History.—This boy is in the ninth grade of high school where he is doing only ordinary work. Says, as he dislikes his high school work, he does not get along very well. He has never had any special trouble with school work heretofore.

General Information.—The boy is from a very good family and is well informed in matters of general information.

Physical Examination.—Nothing to report except that he has a nasal obstruction from enlarged turbinates which should receive attention. The boy is large and physically well developed. Height and weight normal.

Mental Examination.—This boy was examined by me privately two years ago on the request of his mother. At this time I found him somewhat deficient in mathematical sense and a little slow but not mentally sub-normal. He was a victim of a very bad temper, had often threatened to run away from home, and he and his mother could not get along well together at home. He was giving the whole family a serious problem. At present the boy seems to have deteriorated a good deal. He still has a bad temper and has made various threats and has attempted to run away from home. His teachers think he is very peculiar. According to the Binet scale, he is intelligent enough, although somewhat irregular in his responses, and surprisingly poor in a few responses. He brags a great deal of what he will do and makes many threats, and when held strictly to account for his statements, generally modifies them. For example: he says he would like to get after the man who apprehended him, with a six-shooter, and that he would soon fix him. He says that he attempted to find this man one night and shoot him with a rifle but that the man took another street on his way home. Asked if he knew what would happen to him if he killed a man, he said, "I suppose they would send me to the 'pen.'" Asked if he really would be willing to kill this man, he said, "I guess not. I would only frighten him." Asked exactly what he would have done if he had met the man on this particular night, he responds that he would have fired in the air, frightened him, stopped him and would then have kicked him in the stomach. Says that if the court sends him home he will "beat it," that no one can keep him at home; that he will go to the mountains where he has a horse. Finally admits that it is not his horse but belongs to a friend. Asked what he would do if followed by the man who apprehended him, he says he would poison the mountain water. Asked if his conscience would not hurt him if he caused death in this way, he replies that he would not see the man killed and he would not know when he drank the water. Pressed for further explanations, he says perhaps the man would recognize that the water was poisoned and would not drink it. Said in the first place he would poison the water with some disinfectant such as bichloride.

It was very difficult to tell whether the boy is bragging or whether he would actually carry out his threats if he had the opportunity. I am inclined to believe that he is a dangerous character and might easily put his threats into action.

This boy's actions and conduct are so peculiar that I think it is impossible to make a diagnosis at this time. I strongly suspect the presence of dementia praecox and therefore recommend that he be sent to the Psychopathic Hospital for an observation covering a week or more. It is worth noting that this boy's father, although a successful business man, died an alcoholic. His mother is a normal, well-educated and refined woman. All of the boy's friends among grown people regard him as extremely peculiar.

Case 11

Charges: Shop-lifting; Stole bicycles; Truancy; Incurribility.

This boy, aged 13 years, 7 months, is in the A sixth grade, ungraded room. Fairly good in number work, absolutely deficient in geography, poor in general information.

Physical Examination.—Negative.

Mental Examination.—Grades approximately 11 years. Shows some mechanical ability. I regard him as a border line case not necessarily mentally defective but certainly not normal.

Special Notes.—The boy is rather nervous. This is indicated in part by his bed-wetting. His high degrees of obscenity, as shown in his letter writing, would indicate a very low degree of moral sense. I think the boy is a psychopathic character but nevertheless capable of responding to discipline to a considerable degree.

Case 12

Charges: Truancy from Home and School; Violation of Probation.

This boy is 13 years, 5 months of age; in the A seventh grade. Principal complaint, truancy from school and home.

Physical history is negative as far as can be discovered and there are no definite physical defects. His general information is satisfactory and he enjoys reading a good deal. He is rather weak-looking boy but grades practically normal on the Binet scale.

His mental age is 12 years and 6 months, making him about one year retarded. I regard him as a practically normal boy but rather weak. He ought to succeed under favorable conditions.

Case 13

Charges: Petit Larceny; Malicious Destruction of Property.

Boy, 15 years old:

Physical Examination.—Physically normal except for teeth which need attention. No record of serious illness except diphtheria.

This boy is a slow, dull, Spanish boy who shows much language difficulty in the test given him. He has more ability along mechanical lines than anything else. His visual memory is very poor. His ball and field test is remarkably deficient. He fails on all of the fourteen-year tests, succeeds on three of the twelve-year tests, but fails on all but three of the ten-year tests. Does all of the nine-year tests correctly except the alternative test on the months of the year. Taking everything into consideration, he grades about 10 years and 3 months, which gives him an intelligence quotient of 67 per cent. While this is less than what is permitted for a diagnosis of normal intelligence, yet I am not inclined to think that he is actually feeble-minded. He should, for the present, be regarded as a dull, border line case because we have to take into consideration his race and his poor home conditions. A further examination at another time may establish that he is actually feeble-minded. I would say that he has enough ability for common labor and will probably succeed fairly well in that line of work.

Case 14

Charges: Habitual Stealing and Lying.

Physical Examination.—This boy, aged 12, is physically well and strong and mentally bright; makes an excellent appearance. Is said to have had Bright's Disease, but there is no evidence of it at present. (Urine not examined). Boy has had a continuous record since four years of age of stealing and lying about his thefts. His father, now divorced from mother, was a gambler and dishonest in every particular, but intellectually bright. Boy is good-natured and affectionate but does not respond to reason and discipline in respect to his delinquencies. He is in the seventh A grade in school and does excellent work.

Diagnosis.—Mentally and physically normal. Seems to have inherited a weak will in respect to honesty. Has probably not been sufficiently disciplined.

Recommendations.—I would recommend severe discipline in this boy's case as the only reasonable hope of cure or control.

Case 15

Charges: 10 Separate Thefts; Burglaries.

This boy, aged 14 years, is totally lacking in general information. He is very slow and dull in every respect and is simple-appearing to anyone on casual observation. His best performance is in mechanical tests. In general he appears like a boy of about ten years. He is deficient in simple number sense, has practically no knowledge of simplest geography; for instance, never head of Africa or Japan, has no idea of the government of England, cannot locate New Orleans or Honolulu or Chicago or New York or Philadelphia.

Physical Examination.—Very defective vision but says that he has glasses at home. Height and weight much below normal. Very immature for his age.

Mental Examination.—This boy grades 8 years in mentality. He is therefore six years retarded and ranks as a medium grade moron. He might possibly succeed in some simple ranch work, under supervision, but would never succeed in anything that was complex. His vocabulary is extremely small. He is unable to follow any definite directions.

Case 16

Charges: Theft; Burglary; Threatened Assault.

School Record.—At present, this boy, aged 14 years, 10 months, is in the ninth grade, special school. He has always done satisfactory school work but at present his mother considers that he is having difficulty, that he is under a good deal of mental pressure and that he ought, therefore, to be relieved for a time from school work.

General Information.—The boy is about as well informed as most boys of his age and experience.

Physical Examination and History.—Has never had any serious children's diseases but has had chicken pox and measles. He has had "nervous" attacks since he was 18 months old and up to the present time. When he was a baby his mother first observed that he would scream for two or three hours at a time, often stiffening out in anger and afterwards sleeping for six or eight hours. When he was about three

years old his mother observed that he was inclined to appropriate various articles which did not belong to him, and he continued to do this ever since. At first he took such things as apples and bananas from the store, which he would secrete under his clothing, and later he took toys, money from his mother's pocketbook, etc. He is at present charged with breaking into a store. His delinquencies are apparently at rather definite periods, and before these periods he is entirely reliable. When he was a child and subject to attacks of anger, his mother punished him severely but says he never appeared to feel the punishment. She finally abandoned this. He has had screaming attacks ever since he was a child. At present he stands and "hollers" when he becomes excited or angry. The boy tells me that he remembers his present attacks perfectly but does not clearly know why he acts as he does. Between his attacks he is always courteous to his mother and others and very good and affectionate. He says, "I get angry and I can't stop but I don't want to strike or hurt anyone." He talks in his sleep but apparently never bites his tongue or gives other evidence of spasms. Sometimes he gets up at night and is apparently much confused but not actually asleep. He sometimes screams and grinds his teeth in his sleep. He does not get very angry except at home, or at least not uncontrollably so. He never loses consciousness and is never dizzy. There is some evidence at present of difficulty in his studies greater than he has experienced before, possibly indicating some mental deterioration. Aside from what has been noted, the boy's physical state is excellent; he is large for his years and well formed.

Mental Condition.—As far as intelligence is concerned, the boy is normal. He is, however, nervous, excitable and peculiar, as noted above. There appears to be an intimate relation between his peculiar attacks and his delinquencies.

Family History.—The mother is the grandniece of a United States senator, now dead. She was reared by the senator's widow in her own family. Her father was a wealthy man, and married a second time. This woman was given every possible advantage that a good home and money could afford; was sent to college, given a superior musical education and allowed a very generous personal allowance until she was about 19 years old, when she married. She married a barber on a salary of \$9 a week and was promptly disinherited by all her relatives. She says her father was a millionaire. She gives every evidence of great superiority, although she is frail-appearing. She makes an excellent appearance, converses very intelligently and harbors no resentment against her relatives. She is in very straitened circumstances at present. One greatuncle, the senator's brother, was an epileptic and deteriorated mentally to a very considerable extent. He was a farmer but finally not entirely capable of managing his own affairs. He died at an advanced age. One grandson of this uncle was feeble-minded, and is now living. Her mother seems to have had epileptic convulsions until she was fourteen years old, when they disappeared and she was afterwards free until the time of her death, many years later. The mother's sister became insane about the time of change of life and remained so for fourteen years, but finally recovered and lived many years. The mother of the boy says she had fits of hysteria beginning at twelve and lasting until she was fourteen years of age. She was violent, screamed without knowing why, tore her hair and clothes, finally had to be sent to a hospital for a number of months, had to be restrained in bed and given morphine. Says she was always delicate. There is no history of any insensitive or hypersensitive skin areas. She says that during this period of two years she was often greatly confused in mind, sometimes for an entire day. There is a somewhat indefinite record of an infant child of the senator, her great-uncle, dying in convulsions, which were said to have been epileptic in character. This boy has one brother, 8 years old, who was born with a double harelip and a cleft palate, but is mentally normal. Mother says that at present she sometimes has attacks of melancholia and has occasionally contemplated suicide, but is at present overcoming

this tendency. She is 34 years old. The mother states that she notices, at the periods of the boy's delinquency, an offensive breath and odor about his body. Adenoids were removed seven years ago; he was circumcised two and a half years ago. At present has difficulty in concentrating and this condition seems to be increasing. The boy is very fond of mechanics and is kind to children and animals and appears normal enough except at the times of his seizures. Her own mother's mind never deteriorated. There is no history of crime or delinquency in the family. Many members are extremely brilliant. No alcoholism. The boy has two uncles on his father's side who are alcoholics. His own father has excellent habits. The father and mother seem to be attached to each other and to be getting along well except for poor financial conditions.

Diagnosis.—The boy undoubtedly has had epilepsy or what is called an epileptic equivalent, since he was about two and a half years of age. There is some evidence that his mind is now somewhat deteriorating.

Prognosis.—This mental condition is likely to grow worse under any conditions and will certainly increase unless the boy receives very careful medical and educational treatment.

Recommendations.—He should receive the best possible education and medical care which is procurable and should not be forced along in school at present. It would be well if he could be relieved from everything except mechanical work for the time being, which he enjoys. His brother, aged 8, should be operated upon at once for his cleft palate. This can be successfully done and he should not be any longer humiliated by his serious defect in speech. His lip has already been operated upon. This family deserves every possible help which can be given to it as they are making no complaints but are attempting, on the other hand, to do the very best they are able.

Case 17

Charges: Theft; Burglaries.

Boy, 17 years old.

This boy is in the second year of high school. His mother is a first grade teacher in the public schools. Mother is a widow with several other children. This boy has always been successful in school and at present has a very good report from the high school. He has a very excellent mind in every respect, is well informed and grades perfectly normal in a mental examination. Physically he is normal except that he is somewhat immature for his age.

He appears never to have been guilty of any delinquency until a few months ago when he committed a startlingly long series of thefts. Seems to have made no use of anything he stole except in connection with his wireless outfit.

My opinion is that this boy has been very much babied by his mother; that she has never given him any responsibility of any kind and that he committed these misdemeanors through a spirit of adventure which would be easy enough to understand in a boy of fourteen and which can be understood in this boy's case if we consider that he has never really grown up or acquired any sense of social responsibility.

In a talk with his mother I have urged her to require him to work during the summer, which he has never done before, stop indulging him and to require him to reimburse the people from whom he has stolen without any help from her. I think that under the right treatment there is no reason why this boy should not become perfectly normal in his behavior.

Summary.—I can find nothing in this boy's case to indicate any mental defect, either of feeble-mindedness or insanity, and am at present inclined to believe that he is a perfectly normal boy of immature make-up, who will develop normally in conduct under rigid discipline. I should think that he ought to have some sort of very severe lesson from the court.

Case 18

Charges: Burglaries.

School Record.—This boy is 15 years of age. School record satisfactory but has repeated one grade and finds some difficulty with arithmetic.

General Information.—This boy is as well informed as most boys of his age and opportunities.

Mental Tests.—The boy grades normal in general intellectual capacity but is a little backward. There is no indication of feeble-mindedness or any other mental peculiarity except an instability which appears to be temporary and probably due to the adolescent period through which he is passing.

Physical Examination.—There are no defects of growth or development present. He is of normal height and weight and has never had any serious sickness or accident.

Diagnosis.—Slightly backward but of normal intelligence. Physical condition good.

Prognosis.—In my opinion this boy is passing through an unstable period of adolescence and is easily influenced by bad companions and has failed to develop a proper respect for the rights of others. His home influences seem to have been rather weak. Taking all these points into consideration, it appears that this boy ought to make good under proper conditions, with sufficient discipline and surrounded with good influences.

Recommendations.—I would recommend institutional treatment for the present with rather severe discipline and insist upon the requirement of some trade. The George Junior Republic would seem to be the proper place. Would also recommend careful investigation into the conditions of the home and especially because the boy's father and other relatives accepted and made use of various stolen articles which this boy gave them.

Case 19

Charges: Burglaries.

This boy is 15 years, 6 months of age. Mentality, very precocious.

Intelligence Quotient.—100.

Physical State.—Very deaf; long standing. Ears need attention. Should wear his glasses.

History.—Meningitis at four years. Did not walk until seven years old. Mental breakdown at eight years, following measles. Wanted to kill himself and was very melancholy. Had to be watched constantly. Condition lasted about two years. Remained fairly normal until recently. Is showing temper and incorrigibility at present. Will often bite his mother in temper. Moral trouble began one year ago. Is not affectionate at present. Character has changed.

Family History.—Mother's aunt had periodic insanity. Boy's father was a periodic drinker but was intelligent and provided well for the family. Died of tuberculosis.

Diagnosis.—Mentally, very intelligent but quite unstable. Some signs of dementia praecox. Needs to be kept under observation. Boy gives little evidence of appreciation of his trouble. Ears need attention (Otitis media).

Recommendations.—Should be kept under close observation for possible dementia praecox. George Junior Republic would be a good place for him, I should think. He should not be kept with his mother, who is unable to care for him properly.

Case 20

Charges: Vagrancy; Alcoholism; Assault; Theft.

Man, 25 years of age:

Born in Los Angeles. Father and mother separated twenty-five years ago, just after his birth. Nothing known of father, but it is said that he was a lawyer at the time of the separation. Mother is living, competent, as far as is known. Four sisters married, all competent. Four brothers, all employed. One is an actor, two are mechanics, one is an electrical engineer, who wanders about a great deal and does not stay in any one place. The prisoner claims to be an electrician by trade, but has never worked regularly at his trade. In the main he has been employed only for odd jobs at various electrical concerns. He has never held any job of any kind very long. He worked at a club for one year as a card-room boy.

He has been employed as an actor on this coast only, appearing in small parts. He was with a play for one season in a small part. He has recently worked for a club as assistant pantry man. There is every evidence that he has not held any position long. He has used alcohol to excess for a number of years, not drinking periodically, but steadily, whenever he could get liquor. Claims never to have had delirium tremens, but has been much under the influence of alcohol during the last five years, at least. Claims that he uses morphine and cocaine irregularly and has done so for several years. Has used cigarettes to excess for a long time.

His education consisted of the grammar school grades only, but he finished the eighth grade, and took some work with a correspondence school in elementary chemistry. He claims that he enjoys reading and that he has read a good deal of solid literature. Says that he enjoys mechanical work of various kinds and is fairly competent at it.

General Appearance.—He is excessively pale, but otherwise looks healthy. He has a refined countenance and gives the impression of having been born in a family of refinement. He, appears rather effeminate, however, and looks very much as if he was at present a user of morphine or cocaine, or both. He has the typical pallor of a drug user. I cannot say positively, that he is at present addicted to drugs, but I strongly suspect that he is.*

Physically, I was unable to find anything wrong.

Mental Examination.—As far as intelligence is concerned this man has sufficient mentality to take care of himself, but he appears to be altogether too unstable to use successfully the intelligence which he possesses. Judged from the intelligence scale which we use, he grades about thirteen years in mentality. This carries him over the line of feeble-mindedness and places him in the dull normal group. It is quite possible that he has degenerated mentally from the effects of his manner of life, especially from the use of alcohol and drugs. He impresses me as a man who may

* Afterward confessed to using drugs in jail.

have had much better ability than he now possesses. He is intelligent in conversation but, tested out carefully for his vocabulary, he does not grade higher than a child of about twelve years. He finds difficulty in tests which require close powers of concentration, but does successfully practically all mechanical tests, and in the so-called "Following Directions" test, which require close concentration but no more ability than is possessed by the twelve-year-old child, he makes an almost complete failure.

General Summary.—Physically, rather weak and effeminate, but not diseased; very much lacking in force and vigor. Mentally, grades as a dull normal individual. He is not feeble minded, and there is nothing to indicate that he is of unsound mind.

Diagnosis.—I regard this man to be what is known, technically, as a psychopath, but neither insane nor feeble-minded. He groups almost exactly with the majority of chronic alcoholics and drug users.

Recommendations.—From my point of view I do not believe this man will ever succeed in city life. He has been a failure up to twenty-five years of age and is never likely to be anything else. He has not the mental stability to use the intelligence which he possesses in resisting ordinary temptations. I would recommend, if it is practical, that some place be found in the country where he could be employed at mechanical work under supervision. In my opinion, he is the sort of individual who will drift deeper and deeper into crime if he continues to live in the city, and his case is none too hopeful anywhere. From a legal point of view I think he would have to be considered responsible; but from a strictly medical point of view, I do not consider that he is. His whole mental make-up is so weak and unstable that it is too much to ask him to conduct himself as a normal individual under ordinary conditions. On the other hand I do not believe that jail or prison sentences would have the slightest effect on this man's character.

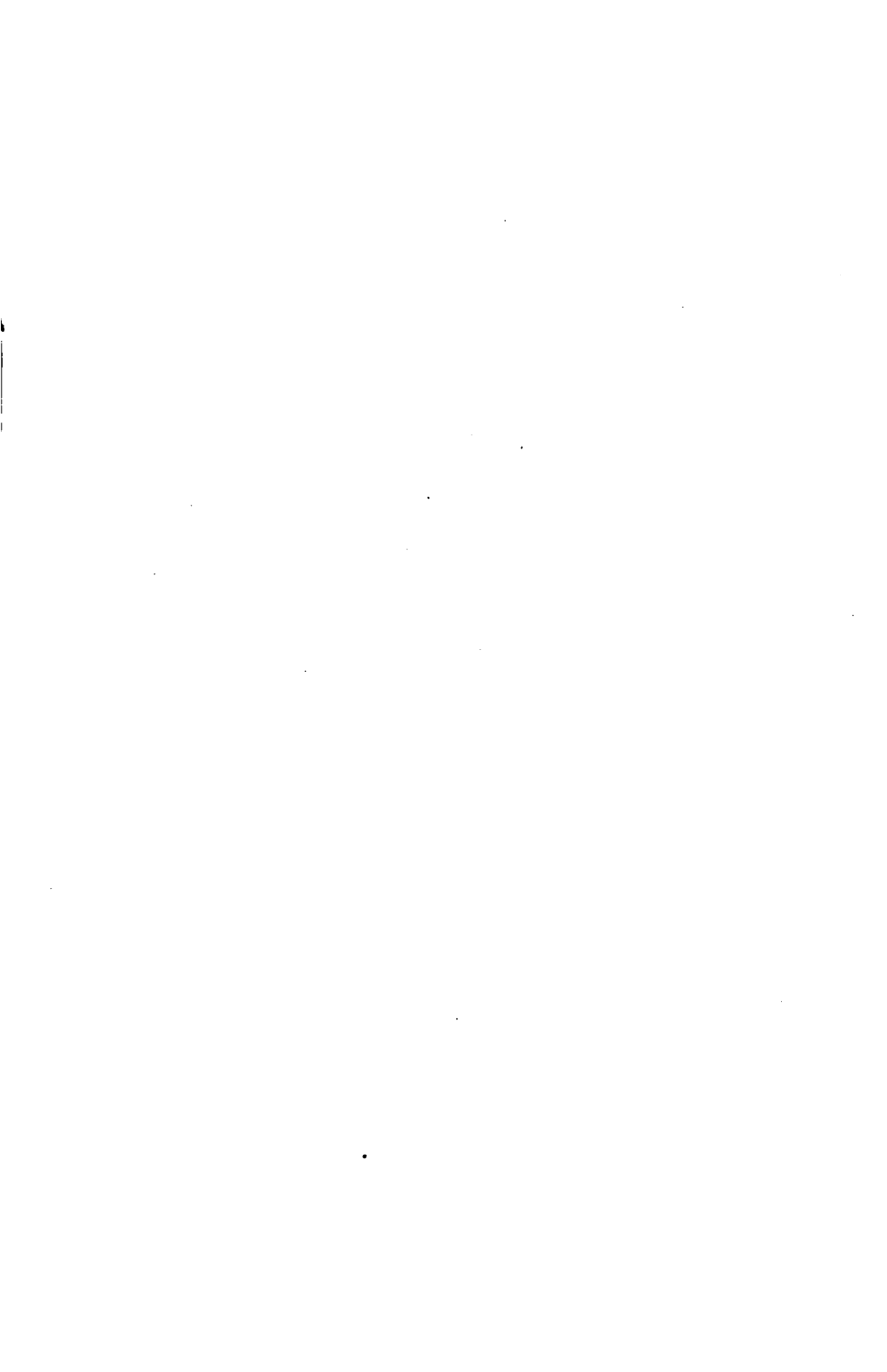
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